

SPECIAL USE PERMIT-18-00. A Little Space Day Care and Child Development Center Staff Report for October 10, 2000, Board of Supervisors Public Hearing

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PUBLIC HEARINGS Building C Board Room; County Government Complex
Planning Commission: September 6, 2000, 7:00 p.m.
Board of Supervisors: October 10, 2000, 7:00 p.m.

SUMMARY FACTS

Applicant: Ms. Laura Finley
Land Owner: G. Square, Inc.

Proposed Use: Child Day Care Center

Location: 4007 Ironbound Road

Tax Map and Parcel No.: (38-4)(1-2a)

Primary Service Area: Inside

Parcel Size: .31 acres

Existing Zoning: R-8, Rural Residential

Comprehensive Plan: Mixed Use

Staff Contact: Benjamin A. Thompson - Phone: 253-6685

STAFF RECOMMENDATION:

Staff finds the proposal consistent with surrounding uses. Staff also finds the proposal consistent with the Comprehensive Plan and consistent with previous actions taken by the Board of Supervisors. On September 6, 2000, the Planning Commission voted unanimously to recommend approval of the application. Staff recommends the Board of Supervisors approve this special use permit with the attached conditions.

Project Description

Ms. Finley currently owns and operates a child day care center at her residence on Brook Haven Drive. Ms. Finley wishes to expand her existing operation to 50 children and must find another site in order to receive accreditation under State regulation. The day care center will be housed in the old radio station building, previously used by WPTG The Local Channel, on the Ironbound Road cul-de-sac.

Existing Property Zoning and Development

The subject property is R-8, Rural Residential. All adjacent property to the north is zoned R-8 and unimproved. Contiguous land to the north via Monticello Avenue is known as “New Town” and is zoned R-8 as well. The adjacent property to the south, Ironbound Road Mini Storage, is B-1, Limited Business. Both properties to the immediate east and west are unimproved lots owned by the Virginia Department of Transportation with the property to the east being zoned M-1 or Limited Business/Industrial and the property to the west being Ironbound Road cul-de-sac and further roadways. The closest developed properties are Ironbound Road Mini Storage and Mount Pleasant Baptist Church.

Comprehensive Planning

The Comprehensive Plan denotes this parcel and the surrounding property as being Mixed-Use within the Casey Fields Area. Suggested uses for this area are a mixture of commercial, office, and limited industrial with residential as a secondary use. The special use permit is consistent with the specific designation of the Comprehensive Plan. In addition, the property is adjacent to the newly created New Town District. New Town has enhanced design and landscaping standards which any changes to the structure or parcel would have to adhere to for compatibility. Staff has added a condition that states that any additions to the structure and any landscaping would have to adhere to the New Town design and landscape standards as defined by the Director of Planning.

Transportation Issues

The proposed use will create fewer than 125 vehicular trips on both Ironbound Road cul-de-sac and Monticello Avenue, thus not significantly impacting either.

Currently, half of the site’s parking is on an adjacent property. With the adjacent property owner’s permission the off-street parking may remain in its present location. If permission is not obtained, the child day care center would need to create adequate parking on-site. This issue of parking will have to be resolved before final site plan approval.

The site is accessed by an existing single entrance drive on Ironbound Road cul-de-sac. The entrance will need to be upgraded, per VDOT standards, as a commercial entrance.

Topography and Physical Features

The parcel is clear and level to three sides with a large drainage ditch running along the west property line. The ditch will not inhibit outdoor recreational uses since the land is level and free of hazard. This parcel has no environmentally sensitive areas.

RECOMMENDATION:

This proposal is generally consistent with the Comprehensive Plan and surrounding development. Staff feels that the conditions attached to the special use permit will assure orderly development of the site and aesthetic sensitivity.

Staff finds the proposal consistent with surrounding uses. Staff also finds the proposal consistent with the Comprehensive Plan and with previous actions taken by the Board of Supervisors. On September 6, 2000, the Planning Commission voted unanimously to recommend approval of the application. The conditions listed below adequately address the impacts of development. Staff recommends that the Board of Supervisors approve this special use permit with the following conditions:

1. Prior to the issuance of a permanent Certificate of Occupancy, a landscaping plan, in accordance with Article II, Division 4 of the James City County Zoning Ordinance, shall be submitted and approved by the Director of Planning. Such plan shall contain enhanced landscaping so that the required number of plants equal at least 133 percent of the County's Landscaping Ordinance in accordance with New Town Design Standards.
2. Prior to the issuance of a permanent Certificate of Occupancy, the Planning Director shall approve the material color, style, location, and size of any new structures and fences.
3. The child day care center shall have no more than 50 children enrolled at any one time. Additional enrollment above the number of 50 children will require an additional special use permit.
4. A permanent Certificate of Occupancy for the facility shall be obtained within one year of the date of issuance of the special use permit or the special use permit shall become void.
5. Prior to final site plan approval, the applicant shall obtain permission from the adjacent property owner to continue parking on their property, or create on-site parking with the number of spaces being determined by the Director of Planning.
6. Prior to the issuance of a permanent Certificate of Occupancy, the applicant shall upgrade the existing entrance to meet the Virginia Department of Transportation's commercial entrance standards.
7. Prior to the issuance of a permanent Certificate of Occupancy, the applicant shall remove all evidence of the prior business, such as signage, dish antennas, satellite hardware, radio antennas, and towers from the property.
8. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

Benjamin A. Thompson

CONCUR:

O. Marvin Sowers, Jr.

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Attachments:

1. Planning Commission Minutes
2. Location Map
3. Photograph Pages
4. Applicant Correspondence
5. Resolution